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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See the American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|------------------|
| Application Number | 09/752,514 |
| Filing Date | January 3, 2001 |
| First Named Inventor | Gary KLINEFELTER |
| Group Art Unit | 1644 |
| Examiner Name | P.J. NOLAN |
| Attorney Docket Number | KLINEFELTER 1C |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000) 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on March 10, 2003
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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01 FC:1091 750.00
02 FC:1231 110.00

2. Miscellaneous


- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when RCE is filed.

- a. ☒ For:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (☐ \$ _____ already paid for _____ month(s) extension of time on _____)
- iii. ☐ Other _____
- b. ☒ Payment by:
- i. ☐ Check in the amount of \$ _____ enclosed (Check No. _____)
- ii. ☒ Credit card (Form PTO-2038 enclosed) authorized in the amount of \$ 860.00
- iii. ☐ Charge \$ _____ to Deposit Account No. 02-4035
- c. ☒ Provisional extension of time if needed. Applicants authorize any charge of additional fees (except issue fee) which may be required in connection with this application to Deposit Account No. 02-4035.
- d. ☒ The director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No. 02-4035

SIGNATURE OF APPLICANT, ATTORNEY, AGENT REQUIRED

| | | | |
|-------------------|---|-----------------------------------|----------------|
| Name (Print/Type) | Anne M. Kornbau | Registration No. (Attorney/Agent) | 25,884 |
| Signature |  | Date | April 29, 2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
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| Signature | Date |

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